

24 October 2024

## ICO Case Reference IC-336537-F5C5

### Request for information

Request received 5 October 2024:

*"I was surprised to see a statement by the Chief Constable of the Police Service of Northern Ireland included in the media release for this one:*  
<https://ico.org.uk/about-the-ico/media-centre/news-and-blogs/2024/10/what-price-privacy-poor-psni-procedures-culminate-in-750k-fine/>

*I've not seen this approach taken with former ICO media releases about monetary penalties, for example here, where comments are provided from other organisations:*

<https://ico.org.uk/about-the-ico/media-centre/news-and-blogs/2024/04/information-commissioner-persistent-sensitive-information-breaches-failing-people-living-with-hiv/>

*Or even for reprimands, such as here:*

<https://ico.org.uk/about-the-ico/media-centre/news-and-blogs/2024/07/london-borough-of-hackney-reprimanded-following-cyber-attack/>

*Please could you confirm:*

- 1. If a spokesperson (or similar: comms team, Chief Exec etc.) for the organisation being fined was consulted for each of the monetary penalties served under the GDPR/UK GDPR, in order to produce a similar statement, with the intent to publish this on the ICO website?*
- 2. If the PSNI were solely responsible for producing their statement, i.e. the ICO played no part in composing this message?*
- 3. Who took the decision to include this? (If Section 40 applies, the team itself is fine).*
- 4. Will this approach be continued?"*

To the extent that it is possible, your request has been handled under the Freedom of Information Act 2000 (the FOIA). This legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies. Where you do not request recorded information we have provided a response in the normal course of business.

## **Our response**

*"If a spokesperson (or similar: comms team, Chief Exec etc.) for the organisation being fined was consulted for each of the monetary penalties served under the GDPR/UK GDPR, in order to produce a similar statement, with the intent to publish this on the ICO website?"*

We do hold some information in scope of this request. A [Monetary Penalty](#) was issued to the Ministry of Defence (MoD) under the UK GDPR. An MoD spokesman provided a statement which you can read on the ICO website: [ICO fines Ministry of Defence for Afghan evacuation data breach | ICO](#).

Because this information is already reasonably accessible to you, technically it is withheld under section 21 of the FOIA. Section 21 states that we do not need to provide you with a copy of information when you already have access to it. However, we are providing the link above for your convenience.

We do not hold information about any other organisations that have been fined under GDPR being consulted on providing a statement with the intent of publishing the statement on the ICO website.

*"If the PSNI were solely responsible for producing their statement, i.e. the ICO played no part in composing this message?"*

The PSNI were solely responsible for producing their statement.

*"Who took the decision to include this?"*

The UK Information Commissioner, John Edwards.

*"Will this approach be continued?"*

We consider publicising the outcome of monetary penalties according to our [Communicating our Regulatory and Enforcement Activity Policy](#). The approach for each monetary penalty will be considered on a case-by-case basis.

This concludes our response to your request.

### **Next steps**

You can ask us to review our response. Please let us know in writing within 40 working days if you want us to carry out a review.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you remain dissatisfied, you can [raise a complaint](#) to the ICO as regulator of the Freedom of Information Act. This complaint will be handled just like a complaint made to the ICO about any other public authority.

### **Your information**

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely

### **Information Access Team**

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone: 0303 123 1113. Website: [ico.org.uk](http://ico.org.uk)

For information about what we do with personal data, please see our [privacy notice](#)